

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
UNITED STATES OF AMERICA

-against-

**ORDER**

SUNE GAULSH,

**21-mj-5195 (UA) (JW)**

Defendant.

-----X  
**JENNIFER E. WILLIS, United States Magistrate Judge:**

In a previous Order, this Court determined that it was in the best interests of justice to provisionally appoint the Federal Defenders to represent the Defendant.

The Court directed the Parties to brief the following issues:

- Is the Criminal Justice Act applicable to the instant case?
- If the Criminal Justice Act is applicable, is the Defendant eligible to have an attorney appointed to represent him on the pending Motion to Dismiss?
- If the Criminal Justice Act is applicable, is the scope of representation limited in any way? Is the Defendant eligible to have an attorney appointed to represent him on all other issues related to this case?

The Parties agreed that the Defendant, Mr. Gaulsh, “is a person charged with a felony and thus, if financially eligible, qualifies for representation under the CJA.” See Dkt. No. 16 at 2. With respect to scope, the Government notes that representation is not “without limit” and “should extend only to the part of the ancillary matter that relates to the principal criminal charge.” Dkt. No. 16 at 3. Nevertheless, the Government “recognizes that the defendant’s motions relate directly to the principal criminal charge.” Id.

Defendant also submitted a financial affidavit detailing debts well in excess of his assets and annual income. The Court is satisfied that Defendant financially qualifies.

Thus, under 18 U.S.C. § 3006A(a)(1)(A), Defendant is eligible for representation under the CJA. Therefore, the Federal Defenders are appointed to represent Mr. Gaulsh.

The Parties shall confer and, **by August 12<sup>th</sup>**, shall propose a briefing schedule on the pending Motion to Dismiss. Given that Defendant has new counsel, should Mr. Williams wish to file a new Motion to Dismiss, he is free to do so.

SO ORDERED.

DATED: New York, New York  
August 5, 2024

  
JENNIFER E. WILLIS  
United States Magistrate Judge